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IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2420 of 2007

Smt.Chaphabai Madhav Gaikwad .. Petitioner

versus

State of Maharashtra & ors. .. Respondents

...

Mr.Vishwanath Talkute for the petitioner.

Mr.R.D. Rane, G.P. for respondent no.1

CORAM : S.B. MHASE AND

D.G.KARNIK, JJ

DATED : 9th October 2007

P.C.:

1. By this petition, petitioner seeks a direction to award family pension to the petitioner. Petitioner's husband in the Zilla Parishad, Satara as an Assistant Teacher. His services were terminated on 18th September 1978 on account of misconduct. Thereafter, he was never in service of respondent no.2. He expired on 17th October 1999. We fail to see how the petitioner is entitled to family pension.

His services were terminated in the year 1978 itself and thereafter he was never in service. He was never paid any pension. In the circumstances, there is no question of allotment of family pension.

2. Petition is rejected summarily.

(D.G. KARNIK, J) (S.B. MHASE, J)